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February 5, 2020

ELECTRONICALLY

The Chambers of the  
Honorable Edgardo Ramos, U.S.D.J.  
United States District Court  
United States District Courthouse  
40 Foley Square  
New York, New York 10007

Re: Fabio Americo Herrera v. Domino's Pizza LLC and David J. Shields  
Case No. 18 Civ. 2996 (ER)(RWL)  
Our File: 4267.0110

Dear Judge Ramos:

Please recall that this office represents Defendants in the referenced action.

I have attempted to speak with Plaintiff's counsel Neil Flynn before sending this letter. I believe he may be on trial and for that reason has been unreachable.

The Southern District Mediation Office has advised that the mediation of this case is currently expected to be completed by tomorrow, February 6, and that any change of this date would need to be approved by Your Honor.

Plaintiff's two medical experts Tamer Elbaz, M.D. and Robert Haar, M.D. still need to be deposed, and I look forward to being provided with some dates for same.

Mr. Flynn has also agreed to provide me with a settlement demand so my clients can evaluate whether a mediation – though the Court's program or through a private mediation service – even makes sense.

If possible, I request that the February 6 date be moved forward at least forty-five (45) days.

This is the undersigned's first such request.

Thank you for your kind consideration.

Respectfully yours,

s/  
Christopher Kendric

cc: (electronically)  
ECF Clerk  
Clerk of the Court  
United States District Courthouse  
500 Pearl Street  
New York, New York 10007

Neil Flynn, Esq.  
William Schwitzer & Associates, P.C.  
820 Second Avenue, 10th Floor  
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cc: (via e-mail)  
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